

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawing includes changes to Figs. 12 and 13. This sheet of drawing replaces the original sheet of drawing of Figs. 12 and 13. Figs. 12 and 13 have been labeled "PRIOR ART".

REMARKS

STATUS OF CLAIMS

In response to the Office Action dated May 15, 2008, claims 1, 2, 7 and 8 have been amended. Claims 1, 2, 7 and 8 are now pending in this application. No new matter has been added.

DRAWING CORRECTION

The Examiner has objected to the drawings for not labeling Figs. 12 and 13 "PRIOR ART".

By this response, a replacement sheet of drawing has been submitted for Figs. 12 and 13, labeling the figures "PRIOR ART".

REJECTION OF CLAIMS UNDER 35 U.S.C. § 102

Claims 1, 2, 7, and 8 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Plourde, Jr. et al. (U.S. Patent No. 7,257,308).

To expedite prosecution, independent claim 1 has been amended to delineate, *inter alia*:

...
a memory for temporarily storing moving image data and/or audio data, ***irrespective of an instruction to start recording***;
..., wherein
in response to the instruction to start recording, the recording unit reserves a dummy area for transfer, after an instruction to end recording, of moving image data and/or audio data that was stored in the memory immediately before the instruction to start recording, and ...

Claim 2 has been similarly amended.

Independent claim 7 has been amended to delineate, *inter alia*:

..., wherein

in response to the instruction to start recording, a dummy area is reserved in the recording medium for transfer, after an instruction to end recording, of moving image data and/or audio data that was stored immediately before the instruction to start recording, and...

Independent claim 8 has been similarly amended.

Plourde, Jr. et al. does not disclose or suggest a memory for temporarily storing moving image data and/or audio data, *irrespective of an instruction to start recording*, as recited in amended independent claims 1 and 2. Plourde, Jr. et al. also does not disclose or suggest that in response to the instruction to start recording, the hard disk 300 reserves a dummy area for transfer, after an instruction to end recording, of moving image data and/or audio data that was stored in a (buffer) memory immediately before the instruction to start recording, as now recited in amended independent claims 1, 2, 7 and 8. Therefore, amended claims 1, 2, 7 and 8 are patentable over Plourde, Jr. et al.

CONCLUSION

In view of the above, Applicants believe the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Edward J. Wise (Reg. No. 34,523) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Application No.: 10/529,546
Reply to Office Action of May 15, 2008

Attorney Docket No.: 1907-0221PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 022448 for any additional fees required under 37.C.F.R. §§ 1.16 or 1.14; particularly, extension of time fees.

Dated: August 14, 2008

Respectfully submitted,

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Attachment: Replacement Sheet – one (1) sheet